

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

Edward Butowsky,

Plaintiff,

v.

Michael Gottlieb, et al.,

Defendants

Case No. 4:19-cv-00180-ALM-kpj

OBJECTION

NOW COMES Edward Butowsky, the Plaintiff, objecting to U.S. District Judge Richard J. Leon's continued interference in this case:

In the PLAINTIFF'S SUR-REPLY IN OPPOSITION TO DEFENDANTS GOTTLIEB, GOVERNSKI, AND BOIES SCHILLER FLEXNER LLP REPLY IN SUPPORT OF MOTION TO DISMISS THIRD AMENDED COMPLAINT FOR LACK OF PERSONAL JURISDICTION (Doc. No. 215), the Plaintiff indicated that he would separately file an objection to Judge Leon's attempts to steer the outcome of this case, and he does so herein. With this objection, the Plaintiff incorporates by reference a judicial misconduct complaint filed by his attorney, Ty Clevenger, against Judge Leon. A true and correct copy of that complaint is attached as Exhibit 1.

"The federal courts long have recognized that the principle of comity requires federal district courts—courts of coordinate jurisdiction and equal rank—to exercise care to avoid interference with each other's affairs." *W. Gulf Mar. Ass'n v. ILA Deep Sea Local*

24, *S. Atl. & Gulf Coast Dist. of ILA, AFL-CIO*, 751 F.2d 721, 728 (5th Cir. 1985), citing *Kerotest Mfg. Co. v. C-O-Two Fire Equipment Co.*, 342 U.S. 180, 72 S.Ct. 219, 96 L.Ed. 200 (1952) and *Covell v. Heyman*, 111 U.S. 176, 182, 4 S.Ct. 355, 358, 28 L.Ed. 390 (1884). The Plaintiff does not dispute the general proposition that judges can communicate with one another, certainly on first-to-file issues, and he normally would not object to Judge Leon's communications with this Court. Judge Leon, however, has repeatedly tried to coerce the Plaintiff into dismissing his claims against the BSF Defendants, and now he is offering his unsolicited "guidance" on how this Court should deal substantively with the Plaintiff's claims least he issue an anti-suit injunction. The Plaintiff contends that this is improper, and he objects accordingly.

Respectfully submitted,

/s/ Ty Clevenger

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Attorney for Plaintiff Edward Butowsky

CERTIFICATE OF SERVICE

I certify that a copy of this document was filed electronically with the Court's ECF system on March 31, 2020, which should result in automatic notification to all counsel of record.

/s/ Ty Clevenger

Ty Clevenger